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PATENT  
ATTORNEY DOCKET NO. 040894-5682

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
JAN - 3 2003  
TECHNOLOGY CENTER 2800

In re Application of: )  
)  
Katsuhisa ITOH )  
)  
Application No. 09/888,500 )  
)  
Filed: June 26, 2001 )  
)  
For: LASER DEVICE AND LIGHT SIGNAL )  
AMPLIFYING DEVICE USING THE SAME )

Group Art Unit: 2828

Examiner: Delma R. Flores Ruiz

Commissioner for Patents  
Washington, DC 20231

Sir:

**AMENDMENT TRANSMITTAL FORM**

1. Transmitted herewith is an Amendment in response to the Office Action dated August 28, 2002 (Paper No. 5).
2. Additional papers enclosed:
  - ☐ Terminal Disclaimer to Obviate a Double Patenting Rejection Over a Prior Patent
  - ☐ Request for Approval of Drawing Changes (with marked-up Figures attached)
  - ☐ Submission of Formal Drawings (with Figures attached)
  - ☐ Information Disclosure Statement
  - ☐ Form PTO-1449, \_\_\_\_\_ references included
  - ☐ Citations
  - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input checked="" type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$ 200.00
<input type="checkbox"/> three months	\$ 920.00	\$ 460.00
<input type="checkbox"/> four months	\$ 1,440.00	\$ 720.00

Extension of time fee due with this request: \$ 110.00.

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	10	minus	20	0	x \$18 each=	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	2	minus	4	0	x \$84 each=	+ \$0.00
[ ] First presentation of Multiple dependent claim(s)					\$280.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

6. Fee Payment

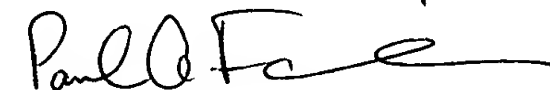
- ☐ No fee is to be paid at this time.
- ☒ The Commissioner is hereby authorized to charge **\$110.00** for the one-month extension of time fee to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: December 30, 2002

By:



Paul A. Fournier

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